

**REMARKS REGARDING NOTICES OF NON-COMPLIANCE**

This paper is submitted in response to the Notice of Failure to Acceptably Respond to Notice of Non-Compliant Amendment mailed June 8, 2005, following a Notice of Non-Compliant Amendment mailed April 8, 2005. Applicants apologize both for mistakes made in the amendment filed January 25, 2005, and for failures to cure those mistakes in its last response.

Applicants respect the Examiners, and applicants sincerely endeavored to respond to Items 4B, 4C, and 4E of the Notice of April 8, 2005. In response, to the Legal Instruments Examiner's comments in Item 4E, applicants supplied the text of the claims 13-38 which applicants indicated as "withdrawn," and corrected the status identifiers for Claims 40-44. However, as correctly noted by the Supervisory Legal Instruments Examiner, claims 13-38 should have been indicated as canceled.

Applicants respectfully and humbly submit that the claims are now in proper form for further consideration. Claims 1-12 and 39-44 are pending in the application, and claims 13-38 and 45 are canceled.

For the convenience of the Examiner, applicants also provide a copy of the remarks which previously were submitted with the non-compliant amendment on January 25, 2005. These remarks begin on the next page.

1                   **REMARKS/ARGUMENTS**

2                   Prior to entry of this paper, claims 1-12 and 39-44 were pending in this  
3 application. In this paper, claim 1 is amended. Accordingly, claims 1-12 and 39-  
4 44 remain pending in the application.

5                   **Claim Rejections – Groath**

6                   Independent claims 1 and 39 stand rejected under 35 U.S.C. 102(e) as being  
7 anticipated by Groath et al. (USPN 6,571,285) (hereinafter "Groath"). Applicant  
8 respectfully submits that Groath does not anticipate these claims.

9                   Generally stated, the present invention is directed at a system for event  
10 management that provides a standard set of common event consumers. The use of  
11 an object-based event filter enables event information to be abstracted so that it  
12 may be processed by an event consumer without knowledge about the event  
13 source. More specifically, claim 1, as amended, recites:

14                   An event management system comprising:

15                   a set of event consumers, each event consumer being configured to  
16 perform an action in response to an occurrence of an event, [ . . . ]; and

17                   an event management module configured to create an event  
18 filter object having properties that identify events that are intended to cause  
19 one or more actions to be performed, the event management module being  
20 further configured to bind the event filter object to one or more of the event  
21 consumers that are capable of performing the one or more actions, and in  
the event that any one or more of the identified events occurs, to pass a  
notice of such occurrence to any event consumers that are bound to the  
event filter.

22                   In contrast, Groath appears to describe aspects of a system for providing  
23 service assurance in a network. The disclosure discusses a system that includes  
24

1 several different types of applications that each perform some function related to  
2 network availability. Some of the functionality appears to be event-driven.

3  
4 The Examiner indicated that Groath teaches an “event filter” at col. 12,  
5 lines 33-67. However, Applicants submit that aside from the existence of the  
6 word “event,” the cited passage bears no resemblance to the “event filter” as  
7 recited in the instant application. Rather, the elements discussed by Groath  
8 perform tasks such as “correlating network conditions, identify critical problems,  
9 filter out superfluous events, and take appropriate actions.” Groath, col. 12 lines  
10 35-37. These tasks, and indeed Groath in total, teach little more than an ordinary  
11 network management system. Nothing about the ECM described by Groath  
12 enables an event to be abstracted so that event consumers can process an event  
13 without any knowledge of the event source. In fact, nothing in Groath describes  
14 the process of getting an event from an event source to an event consumer.  
15 Accordingly, Applicants submit that Groath does not teach an event filter as  
envisioned by claim 1.

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18 For at least the reasons stated above, Applicant respectfully submits that  
19 claim 1 is not anticipated by Groath. Given that claims 2-12 depend from claim 1,  
20 claims 2-12 are also allowable for at least the same reasons.

Similarly, claim 39 recites:

A computer system comprising:

[ . . . ]

an event filter associated with the selected event consumer, the event filter being configured to specify the event and, in response to the occurrence of the event, to deliver information about the occurred event to the event consumer.

As with claim 1, Groath fails to teach the event filter recited. Rather, the passage cited against claim 39 appears to deal with a component for analyzing network performance information, not associating event sources with event consumers. Groath discusses "discovering the environment of a network", "surveying related systems", "alarm suppression", and "automation scripts." While these may very well be legitimate tasks performed by a network management system, they are completely unrelated to Applicants' notion of binding events to event consumers, particularly through an event filter. Indeed, the entire Groath disclosure is silent on passing an event from the actual event source to an event consumer. Accordingly, Groath does not teach the event filter envisioned by claim 39.

For at least the reasons stated above, Applicant respectfully submits that claim 39 is not anticipated by Groath. Given that claims 40-44 depend from claim 39, claims 40-44 are also allowable for at least the same reasons.

1      **Conclusion**

2      Applicants submit that, for the reasons provided above, the pending claims  
3      are in condition for allowance. Should any matter in this case remain unresolved,  
4      the undersigned attorney respectfully requests a telephone conference with the  
5      Examiner to resolve any such outstanding matter.

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8      Respectfully Submitted,

9      Date: June 17, 2005

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